

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PROBATION OFFICE**

**REQUEST FOR
ADJOURNMENT OF SENTENCING**

TO: Honorable Harold Baer Jr.
Senior U.S. District Judge

FROM: Emily Frankelis
Senior U.S. Probation Officer

RE: Kevin Brown
07 CR 485(HB)

DATE: April 15, 2008

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/17/08
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Reference is made to the above-captioned defendant, who pled guilty before Your Honor on February 11, 2008, to Failure to Register as a Sex Offender. Sentencing is currently scheduled for May 22, 2008. We note that Brown was released on his own recognizance, under Pretrial Services supervision, on June 6, 2007.

We are in need of additional time to prepare the presentence report. The defendant's criminal history, which dates back to 1974, occurred in the District of New Jersey (DNJ). Despite the undersigned officer having requested criminal history information from the DNJ on February 29, 2008, pertinent information needed to calculate the defendant's criminal history category (and therefore his guideline range of imprisonment) is still awaited. We were told that these records may take an additional three weeks to obtain, due to their age. We are therefore requesting a five-week adjournment, to allow ample time for the information to be received and incorporated into the presentence report (PSR), and for the PSR to be disclosed in accordance with Rule 32. We have contacted the Government and defense counsel, and neither objects to an adjournment.

It is requested that Your Honor indicate the Court's decision as provided on the following page.

Respectfully submitted,

Emily Frankelis

Emily Frankelis
Senior U.S. Probation Officer

Approved by:

Geoffrey P. Steele

Geoffrey P. Steele
Supervising U.S. Probation Officer

*adjudicated to
June 26, 08 at
11:30*

*Be sure defense
Counsel + the Court
get copies well in
advance of the AUSA
in case memos are
being written by them the*

ORDERED:

Harold Baer, Jr.

Harold Baer, Jr., U.S.D.J.

Date:

April 16, 08

Endorsement:

Adjourned to June 26, 2008 at 11:30 A.M.. Be sure defense counsel and the Court get copies well in advance and the AUSA in case memos are being written by them, etc.